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BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

SUSAN MICHELE STUMP, R.N.  
217 Chandon Lane  
Laguna Niguel, CA 92677  
Registered Nurse License No. 464938

Respondent.

Case No. 2007-178

OAH No. L-2007020480

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on April 25, 2008.

It is so ORDERED March 27, 2008.

*La Francine W Tate*

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FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

EDMUND G. BROWN JR., Attorney General  
of the State of California  
JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
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Attorneys for Complainant

**BEFORE THE  
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DEPARTMENT OF CONSUMER AFFAIRS  
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Respondent.

Case No. 2007-178

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**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Board of Registered Nursing of the Department of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Board for approval and adoption as the final disposition of the Accusation.

**PARTIES**

1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of the Board of Registered Nursing. She brought this action solely in her official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California, by Diane De Kervor, Deputy Attorney General.

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2. Respondent Susan Michele Stump, R.N. is represented in this proceeding by attorney Ron Cordova, whose address is 16520 Bake Parkway, Suite 280, Irvine, CA 92618. His telephone number is (949)748-3600.

3. On or about March 31, 1991, the Board of Registered Nursing issued Registered Nurse License No. 464938 to Respondent. The license was in full force and effect at all times relevant to the charges brought in Accusation No. 2007-178 and will expire on April 30, 2009, unless renewed.

## JURISDICTION

4. Accusation No. 2007-178 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 4, 2007. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2007-178 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2007-178. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1           **Severability Clause.** Each condition of probation, contained herein is a separate  
2 and distinct condition. If any condition of this Order, or any application thereof, is declared  
3 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other  
4 applications thereof, shall not be affected. Each condition of this Order shall separately be valid  
5 and enforceable to the fullest extent permitted by law.

6           1.     **Obey All Laws.** Respondent shall obey all federal, state and local laws.  
7 A full and detailed account of any and all violations of law shall be reported by Respondent to  
8 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of  
9 compliance with this condition, Respondent shall submit completed fingerprint forms and  
10 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted  
11 as part of the licensure application process.

12           **Criminal Court Orders:** If Respondent is under criminal court orders, including  
13 probation or parole, and the order is violated, this shall be deemed a violation of these probation  
14 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

15           2.     **Comply with the Board's Probation Program.** Respondent shall fully  
16 comply with the conditions of the Probation Program established by the Board and cooperate  
17 with representatives of the Board in its monitoring and investigation of the Respondent's  
18 compliance with the Board's Probation Program. Respondent shall inform the Board in writing  
19 within no more than 15 days of any address change and shall at all times maintain an active,  
20 current license status with the Board, including during any period of suspension.

21           Upon successful completion of probation, Respondent's license shall be fully  
22 restored.

23           3.     **Report in Person.** Respondent, during the period of probation, shall  
24 appear in person at interviews/meetings as directed by the Board or its designated  
25 representatives.

26           4.     **Residency, Practice, or Licensure Outside of State.** Periods of  
27 residency or practice as a registered nurse outside of California shall not apply toward a reduction  
28 of this probation time period. Respondent's probation is tolled, if and when she resides outside

1 of California. Respondent must provide written notice to the Board within 15 days of any change  
2 of residency or practice outside the state, and within 30 days prior to re-establishing residency or  
3 returning to practice in this state.

4 Respondent shall provide a list of all states and territories where she has ever been  
5 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further  
6 provide information regarding the status of each license and any changes in such license status  
7 during the term of probation. Respondent shall inform the Board if she applies for or obtains a  
8 new nursing license during the term of probation.

9 5. **Submit Written Reports.** Respondent, during the period of probation,  
10 shall submit or cause to be submitted such written reports/declarations and verification of actions  
11 under penalty of perjury, as required by the Board. These reports/declarations shall contain  
12 statements relative to Respondent's compliance with all the conditions of the Board's Probation  
13 Program. Respondent shall immediately execute all release of information forms as may be  
14 required by the Board or its representatives.

15 Respondent shall provide a copy of this Decision to the nursing regulatory agency  
16 in every state and territory in which she has a registered nurse license.

17 6. **Function as a Registered Nurse.** Respondent, during the period of  
18 probation, shall engage in the practice of registered nursing in California for a minimum of 24  
19 hours per week for 6 consecutive months or as determined by the Board.

20 For purposes of compliance with the section, "engage in the practice of registered  
21 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or  
22 work in any non-direct patient care position that requires licensure as a registered nurse.

23 The Board may require that advanced practice nurses engage in advanced practice  
24 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the  
25 Board.

26 If Respondent has not complied with this condition during the probationary term,  
27 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
28 this condition, and if no other conditions have been violated, the Board, in its discretion, may

1 grant an extension of Respondent's probation period up to one year without further hearing in  
2 order to comply with this condition. During the one year extension, all original conditions of  
3 probation shall apply.

4           **7. Employment Approval and Reporting Requirements.** Respondent  
5 shall obtain prior approval from the Board before commencing or continuing any employment,  
6 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
7 performance evaluations and other employment related reports as a registered nurse upon request  
8 of the Board.

9           Respondent shall provide a copy of this Decision to her employer and immediate  
10 supervisors prior to commencement of any nursing or other health care related employment.

11           In addition to the above, Respondent shall notify the Board in writing within  
12 seventy-two (72) hours after she obtains any nursing or other health care related employment.  
13 Respondent shall notify the Board in writing within seventy-two (72) hours after she is  
14 terminated or separated, regardless of cause, from any nursing, or other health care related  
15 employment with a full explanation of the circumstances surrounding the termination or  
16 separation.

17           **8. Supervision.** Respondent shall obtain prior approval from the Board  
18 regarding Respondent's level of supervision and/or collaboration before commencing or  
19 continuing any employment as a registered nurse, or education and training that includes patient  
20 care.

21           Respondent shall practice only under the direct supervision of a registered nurse  
22 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative  
23 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)  
24 are approved.

25           Respondent's level of supervision and/or collaboration may include, but is not  
26 limited to the following:

27           (a) Maximum - The individual providing supervision and/or collaboration is  
28 present in the patient care area or in any other work setting at all times.

1 (b) Moderate - The individual providing supervision and/or collaboration is in  
2 the patient care unit or in any other work setting at least half the hours Respondent works.

3 (c) Minimum - The individual providing supervision and/or collaboration has  
4 person-to-person communication with Respondent at least twice during each shift worked.

5 (d) Home Health Care - If Respondent is approved to work in the home health  
6 care setting, the individual providing supervision and/or collaboration shall have person-to-  
7 person communication with Respondent as required by the Board each work day. Respondent  
8 shall maintain telephone or other telecommunication contact with the individual providing  
9 supervision and/or collaboration as required by the Board during each work day. The individual  
10 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-  
11 site visits to patients' homes visited by Respondent with or without Respondent present.

12 9. **Employment Limitations.** Respondent shall not work for a nurse's  
13 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a  
14 traveling nurse, or for an in-house nursing pool.

15 Respondent shall not work for a licensed home health agency as a visiting nurse  
16 unless the registered nursing supervision and other protections for home visits have been  
17 approved by the Board. Respondent shall not work in any other registered nursing occupation  
18 where home visits are required.

19 Respondent shall not work in any health care setting as a supervisor of registered  
20 nurses. The Board may additionally restrict Respondent from supervising licensed vocational  
21 nurses and/or unlicensed assistive personnel on a case-by-case basis.

22 Respondent shall not work as a faculty member in an approved school of nursing  
23 or as an instructor in a Board approved continuing education program.

24 Respondent shall work only on a regularly assigned, identified and predetermined  
25 worksite(s) and shall not work in a float capacity.

26 If Respondent is working or intends to work in excess of 40 hours per week, the  
27 Board may request documentation to determine whether there should be restrictions on the hours  
28 of work.



1                   10.     **Complete a Nursing Course(s).** Respondent, at her own expense, shall  
2 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later  
3 than six months prior to the end of her probationary term.

4                   Respondent shall obtain prior approval from the Board before enrolling in the  
5 course(s). Respondent shall submit to the Board the original transcripts or certificates of  
6 completion for the above required course(s). The Board shall return the original documents to  
7 Respondent after photocopying them for its records.

8                   11.     **Cost Recovery.** Respondent shall pay to the Board costs associated with  
9 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
10 amount of \$4,742.25. Respondent shall be permitted to pay these costs in a payment plan  
11 approved by the Board, with payments to be completed no later than three months prior to the  
12 end of the probation term.

13                   If Respondent has not complied with this condition during the probationary term,  
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with  
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may  
16 grant an extension of Respondent's probation period up to one year without further hearing in  
17 order to comply with this condition. During the one year extension, all original conditions of  
18 probation will apply.

19                   12.     **Violation of Probation.** If Respondent violates the conditions of her  
20 probation, the Board after giving Respondent notice and an opportunity to be heard, may set  
21 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's  
22 license.

23                   If during the period of probation, an accusation or petition to revoke probation has  
24 been filed against Respondent's license or the Attorney General's Office has been requested to  
25 prepare an accusation or petition to revoke probation against Respondent's license, the  
26 probationary period shall automatically be extended and shall not expire until the accusation or  
27 petition has been acted upon by the Board.

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1                   13.     **License Surrender.** During Respondent's term of probation, if she ceases  
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of  
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to  
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to  
5 take any other action deemed appropriate and reasonable under the circumstances, without  
6 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent  
7 will no longer be subject to the conditions of probation.

8                   Surrender of Respondent's license shall be considered a disciplinary action and  
9 shall become a part of Respondent's license history with the Board. A registered nurse whose  
10 license has been surrendered may petition the Board for reinstatement no sooner than the  
11 following minimum periods from the effective date of the disciplinary decision:

12                   (1)     Two years for reinstatement of a license that was surrendered for any  
13 reason other than a mental or physical illness; or

14                   (2)     One year for a license surrendered for a mental or physical illness.

15                   14.     **Participate in Treatment/Rehabilitation Program for Chemical**  
16 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary  
17 period or shall have successfully completed prior to commencement of probation a Board-  
18 approved treatment/rehabilitation program of at least six months duration. As required, reports  
19 shall be submitted by the program on forms provided by the Board. If Respondent has not  
20 completed a Board-approved treatment/rehabilitation program prior to commencement of  
21 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in  
22 a program. If a program is not successfully completed within the first nine months of probation,  
23 the Board shall consider Respondent in violation of probation.

24                   Based on Board recommendation, each week Respondent shall be required to  
25 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics  
26 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed  
27 by the Board. If a nurse support group is not available, an additional 12-step meeting or  
28 equivalent shall be added. Respondent shall submit dated and signed documentation confirming

1 such attendance to the Board during the entire period of probation. Respondent shall continue  
2 with the recovery plan recommended by the treatment/rehabilitation program or a licensed  
3 mental health examiner and/or other ongoing recovery groups.

4           **15. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent  
5 shall completely abstain from the possession, injection or consumption by any route of all  
6 controlled substances and all psychotropic (mood altering) drugs, including alcohol, except when  
7 the same are ordered by a health care professional legally authorized to do so as part of  
8 documented medical treatment. Respondent shall have sent to the Board, in writing and within  
9 fourteen (14) days, by the prescribing health professional, a report identifying the medication,  
10 dosage, the date the medication was prescribed, the Respondent's prognosis, the date the  
11 medication will no longer be required, and the effect on the recovery plan, if appropriate.

12           Respondent shall identify for the Board a single physician, nurse practitioner or  
13 physician assistant who shall be aware of Respondent's history of substance abuse and will  
14 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled  
15 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician  
16 assistant shall report to the Board on a quarterly basis Respondent's compliance with this  
17 condition. If any substances considered addictive have been prescribed, the report shall identify a  
18 program for the time limited use of any such substances.

19           The Board may require the single coordinating physician, nurse practitioner, or  
20 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in  
21 addictive medicine.

22           **16. Submit to Tests and Samples.** Respondent, at her expense, shall  
23 participate in a random, biological fluid testing or a drug screening program which the Board  
24 approves. The length of time and frequency will be subject to approval by the Board.  
25 Respondent is responsible for keeping the Board informed of Respondent's current telephone  
26 number at all times. Respondent shall also ensure that messages may be left at the telephone  
27 number when she is not available and ensure that reports are submitted directly by the testing  
28 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately

1 to the Board by the program and Respondent shall be considered in violation of probation.

2 In addition, Respondent, at any time during the period of probation, shall fully  
3 cooperate with the Board or any of its representatives, and shall, when requested, submit to such  
4 tests and samples as the Board or its representatives may require for the detection of alcohol,  
5 narcotics, hypnotics, dangerous drugs, or other controlled substances.

6 If Respondent has a positive drug screen for any substance not legally authorized  
7 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the  
8 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent  
9 from practice pending the final decision on the petition to revoke probation or the accusation.  
10 This period of suspension will not apply to the reduction of this probationary time period.

11 If Respondent fails to participate in a random, biological fluid testing or drug  
12 screening program within the specified time frame, Respondent shall immediately cease practice  
13 and shall not resume practice until notified by the Board. After taking into account documented  
14 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the  
15 Board may suspend Respondent from practice pending the final decision on the petition to  
16 revoke probation or the accusation. This period of suspension will not apply to the reduction of  
17 this probationary time period.

18 17. **Mental Health Examination.** Respondent shall, within 45 days of the  
19 effective date of this Decision, have a mental health examination including psychological testing  
20 as appropriate to determine her capability to perform the duties of a registered nurse. The  
21 examination will be performed by a psychiatrist, psychologist or other licensed mental health  
22 practitioner approved by the Board. The examining mental health practitioner will submit a  
23 written report of that assessment and recommendations to the Board. All costs are the  
24 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a  
25 result of the mental health examination will be instituted and followed by Respondent.

26 If Respondent is determined to be unable to practice safely as a registered nurse,  
27 the licensed mental health care practitioner making this determination shall immediately notify  
28 the Board and Respondent by telephone, and the Board shall request that the Attorney General's

1 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease  
2 practice and may not resume practice until notified by the Board. During this period of  
3 suspension, Respondent shall not engage in any practice for which a license issued by the Board  
4 is required, until the Board has notified Respondent that a mental health determination permits  
5 Respondent to resume practice. This period of suspension will not apply to the reduction of this  
6 probationary time period.

7           If Respondent fails to have the above assessment submitted to the Board within  
8 the 45-day requirement, Respondent shall immediately cease practice and shall not resume  
9 practice until notified by the Board. This period of suspension will not apply to the reduction of  
10 this probationary time period. The Board may waive or postpone this suspension only if  
11 significant, documented evidence of mitigation is provided. Such evidence must establish good  
12 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be  
13 provided. Only one such waiver or extension may be permitted.

14           **18. Therapy or Counseling Program.** Respondent, at her expense, shall  
15 participate in an on-going counseling program until such time as the Board releases her from this  
16 requirement and only upon the recommendation of the counselor. Written progress reports from  
17 the counselor will be required at various intervals.

18           **19. Physical Examination.** Within 45 days of the effective date of this  
19 decision, respondent, at his/her expense, shall have a licensed physician, nurse practitioner, or  
20 physician assistant, who is approved by the Board before the assessment is performed, submit an  
21 assessment of the respondent's physical condition and capability to perform the duties of a  
22 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If  
23 medically determined, a recommended treatment program will be instituted and followed by the  
24 respondent with the physician, nurse practitioner, or physician assistant providing written reports  
25 on forms provided by the Board.

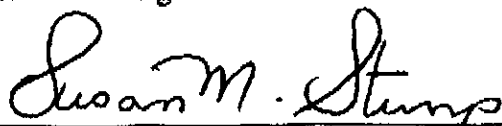
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ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Ron Cordova. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 12-6-07

  
SUSAN MICHELE STUMP, R.N.  
Respondent

I have read and fully discussed with Respondent Susan Michele Stump, R.N. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6 December 2007

  
RON CORDOVA  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: December 7, 2007

EDMUND G. BROWN JR., Attorney General  
of the State of California

JAMES M. LEDAKIS  
Supervising Deputy Attorney General

  
DIANE DE KERVOR  
Deputy Attorney General

Attorneys for Complainant

**Exhibit A**  
**Accusation No. 2007-178**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 MARGARET A. LAFKO,  
Supervising Deputy Attorney General  
3 DIANE DE KERVOR, State Bar No. 174721  
Deputy Attorney General  
4 California Department of Justice  
110 West "A" Street, Suite 1100  
5 San Diego, CA 92101

6 P.O. Box 85266  
San Diego, CA 92186-5266  
7 Telephone: (619) 645-2611  
Facsimile: (619) 645-2061

8 Attorneys for Complainant  
9

10 **BEFORE THE**  
11 **BOARD OF REGISTERED NURSING**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 2007-178

14 SUSAN MICHELE STUMP  
217 Chandon Lane  
15 Laguna Niguel, CA 92677

**A C C U S A T I O N**

16 Registered Nurse License No. 464938

17 Respondent.  
18

19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
23 ("Board"), Department of Consumer Affairs.

24 2. On or about March 31, 1991, the Board issued Registered Nurse License  
25 Number 464938 to Susan Michele Stump ("Respondent"). Respondent's registered nurse license  
26 was in full force and effect at all times relevant to the charges brought herein and will expire on  
27 April 30, 2007, unless renewed.

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injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license."

7. Code section 2770.11 states:

"(a) Each registered nurse who requests participation in a diversion program shall agree to cooperate with the rehabilitation program designed by a committee. Any failure to comply with the provisions of a rehabilitation program may result in termination of the registered nurse's participation in a program. The name and license number of a registered nurse who is terminated for any reason, other than successful completion, shall be reported to the board's enforcement program.

"(b) If a committee determines that a registered nurse, who is denied admission into the program or terminated from the program, presents a threat to the public or his or her own health and safety, the committee shall report the name and license number, along with a copy of all diversion records for that registered nurse, to the board's enforcement program. The board may use any of the records it receives under this subdivision in any disciplinary proceeding.

#### COST RECOVERY

8. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

#### DRUGS

9. **Cocaine**, a narcotic, is a dangerous drug pursuant to section 4022 and is a Schedule II controlled substance pursuant to Health and Safety Code section 11055(b)(6).

10. **Amphetamine** is a dangerous drug pursuant to section 4022 and a Schedule II controlled substance pursuant to Health and Safety Code section 11055(d)(1).

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Reporting to Work In the Neonatal Intensive Care Unit**  
3 **While Under the Influence of Cocaine and Amphetamine)**

4 11. Respondent's registered nurse license is subject to discipline under section  
5 2761, subdivision (a) of the Code for acts of unprofessional conduct, in that on or about February  
6 9, 2002, Respondent reported to work at the Neonatal Intensive Care Unit of Western Medical  
7 Center, Santa Ana, California under the influence of two controlled substances. After she  
8 clocked in, Respondent told her co-workers that she was not feeling well from dizziness and  
9 chest pains. She was escorted to the emergency room for an examination, which included a urine  
10 test. The test came back positive for **Amphetamines** and **Cocaine**. Respondent admitted to her  
11 employers that she had recently taken cocaine, but stated that she did not know why the drug  
12 screen came back positive for amphetamines. Respondent also stated that she did not recall  
13 clocking in. On February 25, 2002, a complaint was filed with the Board by the Director of  
14 Human Resources at Western Medical Center regarding the incident. On or about April 17,  
15 2002, Respondent was enrolled in the Board's Diversion Program. On or about July 29, 2004,  
16 the Diversion Evaluation Committee ("DEC") terminated Respondent from the Diversion  
17 Program as a public safety threat.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Unprofessional Conduct - Self-Administration of Controlled Substances)**

20 12. Respondent is subject to disciplinary action pursuant to Code section  
21 2761, subdivision (a), and 2762, subdivision (a), on the grounds of unprofessional conduct in that  
22 on or about February 9, 2002, Respondent self-administered two controlled substances, cocaine  
23 and amphetamine, without lawful authority therefor. The circumstances of this cause for  
24 discipline are set forth in paragraph 11 above, and are incorporated by reference herein.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct - Use of Controlled Substances to an Extent or in a Manner**  
3 **Dangerous or Injurious to Oneself)**

4 13. Respondent is subject to disciplinary action pursuant to Code section  
5 2761, subdivision (a), and 2762, subdivision (b), on the grounds of unprofessional conduct in  
6 that on or about February 9, 2002, Respondent self-administered two controlled substances,  
7 cocaine and amphetamine, to an extent or in a manner that was dangerous or injurious to herself,  
8 requiring an examination and treatment at the emergency room. The circumstances of this cause  
9 for discipline are set forth in paragraph 11 above, and are incorporated by reference herein.

10 **DISCIPLINE CONSIDERATIONS**

11 14. Pursuant to Code section 2770.11, the Board may use records reflecting  
12 that a nurse was terminated from diversion as a public safety threat in any disciplinary  
13 proceeding. To determine the degree of discipline, if any, to be imposed on Respondent,  
14 Complainant alleges that on or about or about April 17, 2002, Respondent was enrolled in  
15 diversion. On or about July 29, 2004, the Diversion Evaluation Committee ("DEC") terminated  
16 Respondent from the Diversion Program as a public safety threat. The DEC found that  
17 Respondent refused to follow the DEC mandates, had relapsed on alcohol, and had refused to  
18 stop working and enter into treatment. The DEC also found that Respondent's attitude towards  
19 her relapse and the committee was unprofessional, and that Respondent's availability for patient  
20 care may put patients at risk.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
23 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

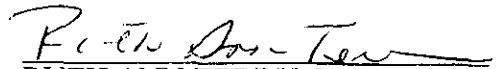
24 1. Revoking or suspending Registered Nurse License Number 464938, issued  
25 to Susan Michele Stump;

26 2. Ordering Susan Michele Stump to pay the Board of Registered Nursing the  
27 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
28 Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 12/19/06

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant